

**City Council Special Meeting
December 21, 2005**

CALL TO ORDER

Mayor Ortiz called the special City Council meeting of the City of Soledad to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Ortiz led the Pledge of Allegiance.

ROLL CALL

Present when the meeting was called to order were Councilmembers: Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem Juan Saavedra and Mayor Richard Ortiz.

PUBLIC COMMENT

None

CLOSED SESSION

At 5:05 p.m. Mayor Ortiz called for a recess to convene to Closed Session to discuss the following item:

1. The City Council will recess to closed session to confer with its attorneys regarding litigation pursuant to Government Code Section 54956.9(b)(1) and is hereby of the opinion that a significant exposure to litigation exists.

MEETING RECONVENED

At 6:00 p.m. Mayor Ortiz reconvened the meeting from Closed Session.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Mayor Ortiz reported that:

Item #1: City Council conferred with City Attorney, no other reportable action was taken.

ADJOURNMENT

There being no other business to come before the Council, Mayor Ortiz adjourned the meeting at 6:05 p.m.

RICHARD V. ORTIZ, Mayor

Approved: _____

NOELIA F. CHAPA, City Clerk

**City Council Regular and *Redevelopment Agency Special Meeting
December 21, 2005**

CALL TO ORDER

Mayor/Chairman Ortiz called the regular City Council Meeting and special Redevelopment Agency meeting of the City of Soledad to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Public Works Director Clif Price led the Pledge of Allegiance.

PEACEBUILDERS' PLEDGE

Mayor/Chairman Ortiz led the Peacebuilder's Pledge.

ROLL CALL

Present when the meeting was called to order were Councilmembers/Agencymembers: Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem/Vice Chairman Juan Saavedra and Mayor/Chairman Richard Ortiz.

MAYOR'S/CHAIRMAN'S REPORTS

Mayor/Chairman Ortiz informed the Council that he attended the Center for Employment Training open house at their new facility in Soledad. He stated that there are already several individuals enrolled in a variety of programs the Center offers.

COUNCILMEMBERS/AGENCYMEMBERS ANNOUNCEMENTS

Councilmember/Agencymember De La Rosa stated that she attended the Soledad Fire Department's Christmas Dinner and Award Recognition and also attended the City of Soledad Staff Holiday Party.

Mayor Pro Tem/Vice Chairman Saavedra stated that he attended the Center for Employment Training open house in Soledad and also apologized for not being able to attend the Staff's holiday party due to a prior commitment.

Councilmember/Agencymember Bourke stated that he attended the City of Soledad Staff Holiday Party and also attended the Center for Employment Training open house.

COUNCILMEMBER'S/AGENCYMEMBERS PRAISES

Mayor Pro Tem/Vice Chairman Saavedra praised the Fire and Police Departments for their impressive response times. He also praised the Police Department for the improvement in the quality of officers on the street, stating that they are both professional and courteous to the residents.

Councilmember/Agencymember Stephens wished the staff and community Happy Holidays.

Councilmember/Agencymember Bourke praised Bobbie Reynolds, who is retiring and has been involved in the Soledad community for many years. He also praised the City Staff, thanking them for their efforts in the past year and hard work. He also thanked all the community organizations that have served the community through the holidays and the year.

Mayor/Chairman Ortiz praised the City Staff, and also praised the Public Works Department for keeping Front Street clean. He stated that the entrance to town with the additional lights looks great and staff is doing a great job in maintaining the landscaping and keeping Front Street clean. Mayor/Chairman Ortiz also thanked the staff for working in a not so desirable environment during the remodel and thanked the staff for their patience.

PRESENTATIONS

Introduction of the new YMCA Executive Director – Steve Orosco

Sharon Gish, Soledad YMCA, introduced the new YMCA Executive Director, Steve Orosco. She also thanked acting Executive Director Monica Sullivan for her dedication and hard work over the past year.

PUBLIC COMMENT

None.

CONSENT CALENDAR

Item #1: **Approval of Minutes**
None

Item #2: **Approval of Warrants**
#37545 - #37645

Item #3: **Resolution No. 3712**, “Establishing Hours for Use of the Park and Ride Lot and Designating the West Side of Front Street between Main Street and Encinal Street as Park and Ride On-street Parking.”

Item #4: **Resolution No. 3713**, “Accepting the Calendar Year 2006 Operating Budget for the Soledad YMCA Community Center.”

Item #5: **Resolution No. 3714**, “Approving the Purchase of Two (2) Hybrid Vehicles in an Amount Not to exceed \$53,734.39 Pursuant to the City’s In-Lieu Purchase Exception and Appropriating \$3,734.39 from the General Fund Reserves.”

Item #6: **Resolution No. 3715**, “Authorizing the City Manager to Execute an Agreement with California Coastal Rural Development Corporation to Administer the City’s Community Development Block Grant Business Loan Program.”

Item #7: **Resolution No. 3716**, “Authorizing the City Manager to Execute a Two (2) Year Agreement with RM Associates for Grant Administration Services.”

Item #8: **Resolution No. 3717**, “Denying an Appeal of the Planning Commission’s Approval of Off Street Parking Requirements for Property Located at 1078-1092 Monterey Street (APN 022-035-003).”

ITEM #9 WAS PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER BOURKE

Item #9: Resolution No. 3718, “Authorizing the City Manager to Execute a Two Year Agreement with Pacific Municipal Consultants for Administration of the City’s First Time Homebuyers Assistance Program.”

MOTION: The Consent Calendar (Items # 1, 2, 3, 4, 5, 6, 7 and 8) were approved by a unanimous vote on a motion made by Councilmember Stephens and second by Mayor Pro Tem Saavedra.

ITEM #9 WAS PULLED FROM THE CONSENT CALENDAR BY COUNCILMEMBER BOURKE

Item #9: Resolution No. 3718, “Authorizing the City Manager to Execute a Two Year Agreement with Pacific Municipal Consultants for Administration of the City’s First Time Homebuyers Assistance Program.”

Councilmember Bourke asked Economic Development Director Izzy Rodriguez if the problem still existed regarding participants not understanding the resale restrictions of the program and if prospective buyers have been given the proper information due to past issues. Economic Development Director Rodriguez responded that staff has taken great strides in informing the participants of the resale restrictions and staff is providing as much information as possible to prevent any future issues.

MOTION: Consent Calendar Item #9 was approved by a unanimous vote on a motion made by Councilmember Bourke and second by Councilmember Stephens.

PUBLIC HEARINGS

Item #10: Resolution No. 3719, “Adopting 2005 Urban Water Management Plan for the City of Soledad.”

Staff Presentation

Public Works Director Price stated this was the final adoption of the Urban Water Management Plan for 2005. He informed the Council that all comments that were received, responses, and the action taken were listed under Appendix F.

Open and Close of Public Hearing

Mayor Ortiz opened the hearing to the public, and seeing that there were no comments, closed the hearing.

MOTION: Resolution No. 3719 was adopted by a unanimous vote on a motion made by Mayor Pro Tem Saavedra and a second by Councilmember De La Rosa.

BUSINESS

Item #11: * Consider Proposed Changes to the License Agreement between the Agency and the Soledad Historical Society and Provide Staff Direction for Use of a Portion of 137 Soledad Street for Storage of Historical Items

Executive Director Chapa stated that the lease agreement had been before the Redevelopment Agency in October. Mr. Nader Agha was present at the meeting and offered to provide a storage unit for the Society's items. She stated that the Soledad Historical Society had a concern about maintaining the integrity of the items in the storage unit and that they had decided to decline Mr. Agha's offer. City Staff met with the Soledad Historical Society to review the contract and the contract is being presented to the Agency with changes made in bold and strikeouts.

Vice Chairman Saavedra stated that he didn't feel the three year timeline was a concern since the Council had been unable to unanimously come up with a plan for the building. He requested that the City be able to acquire full control of the building in a reasonable amount of time if need be.

Agencymember Bourke stated that he did not feel a three year term with option to renew for another three years was best for the City. He also stated that Mr. Agha stated that he would be willing to make the building safer by making the necessary improvements.

Agencymember De La Rosa stated she did not have a problem with the three year lease. However, she stated that she felt the agreement was creating a liability for the City and a storage unit would be the best option. She stated that two engineers had already stated that the building was not safe and that she would not have a problem with a three year lease as long as the building was safe.

Chairman Ortiz responded that he will prove that the building is safe and it would be part of his report later. He stated that the engineer will be in Soledad Tuesday to take samples and evaluate the building more thoroughly. Agencymember Bourke asked when the Agency should expect to receive something in writing from the engineer and the Chairman responded by Wednesday of the following week.

Agency Attorney Rodriguez asked that the occupation of the structure be contingent on the report of the structure and the Agency is still asking to keep the lease.

Agencymember De La Rosa asked to continue the item until the report was received for the Agency's review and stated that she felt it was in the City's best interest to wait.

Agencymember Bourke asked to have the item continued to January 18th in order to review the reports to determine the safety of the building and asked that the City Engineer review the report to confirm the liability risk. Agencymember De La Rosa stated that she had no problem with the lease as long as the report states that it is structurally sound. Agencymember Stephens stated that the Soledad Historical Society is only requesting storage at this point and only needs access to the storage area. She stated that the only time they will be occupying the building will be when items are moved in and out of the building, and that it would not be open for the public or any other member of community except for Soledad Historical Society members who will sign off on the liability.

Chairman Ortiz responded that once the building is found to be safe, storage will take place and the design of what needs to be done will come before the Agency. He stated he had the Council's blessings to make the building a museum, which he has drawings for and will present to the Council. He stated that he is trying to get all other items donated so there would be no expense to the City.

Agencymember De La Rosa responded that no decision had been made by the Council or Agency on what the building would be used for and that the Chairman was having a person donate their services under the assumption that it was going to be a museum.

Councilmember also stated that there has been no decision made as to the use of the building and that there were discussion on various options for the entire site owned by the Agency.

Chairman Ortiz stated that there was a clause in the contract that allowed the City to forego the agreement and move on with the project.

Agencymember De La Rosa asked if individuals assisting the Soledad Historical Society move items into the building would they be covered under the City's liability insurance. City Attorney Rodriquez stated that no one would be allowed to enter the building unless they sign off on the liability and those individuals have to be cleared by the Agency.

MOTION: Agencymember Stephens made a motion to approve the lease, once the engineer's report comes back and goes through the City process, with the Soledad Historical Society for three years with an option to renew for one year with a 30-day notice.

Agencymember Bourke asked for clarification on the City's process, and if the motion included review of the engineer's report by the City Engineer. Agencymember Stephens stated that her motion did not specifically state that. Executive Director Chapa stated that it was her understanding that the City's process would include review of the report by the City's engineer.

MOTION: Agencymember Stephens made a motion to approve the lease, once the engineer's report comes back and goes through the City process, with the Soledad Historical Society for three years with an option to renew for one year with a 30-day notice, with a second by Agencymember Bourke.

Item #12: Discuss and consider adopting the Legislative Priorities for 2006

City Manager Chapa addressed the Council and stated that she was going to have Assistant City Manager De La Rosa review the legislative priorities.

Assistant City Manager De La Rosa stated that staff had come up with legislative priorities for 2006 based on direction from the City Council throughout the year. He discussed additions to the legislative priorities from the prior year and stated that one of the legislative priorities was to try to exempt the City as an "urban designated city." This exemption would only be for one year with the City requesting exemption every year thereafter. This exemption would allow the City to apply for USDA funds.

The City has also asked for booking fees to be kept at their current rate and that funds continue to be allocated for the safer grant for a firefighter. Assistant City Manager De La Rosa also stated that the City is working with ACCAP to exempt State Prisons or State facilities from placement of sexual predators due to the fact that the City has a correctional facility within the city limits. ACCAP has indicating that this issue was a top priority for them.

Police Chief Cox informed the Council that legislation had been passed, the prior day, moving the dates for conversion from wide ban to narrow band to 2009. Fire Chief Jesse Casillas informed the Council that the County User's Group is working together to set forth a plan that will determine the financial requirements that users are responsible for, with approximately \$20M being shared by all users. City Manager Chapa stated that she and the Police Chief and Fire Chief are all involved in committees regarding the emergency communications.

Councilmember Stephens asked about the new police units and if they will have new equipment requirements or old. Chief Cox responded that the equipment in the old units will be transferred to the new units and that equipment will be replaced when the conversion is complete.

Assistant City Manager De La Rosa asked for direction from the Council with regards to their priorities so that staff can forward the list to the City's legislative advocate.

After a lengthy discussion amongst the Council, the following priorities were determined:

- 1) Wastewater Treatment Plant Expansion – Work with Dept. of General Service to acquire the prison treatment facility.
- 2) Wastewater Treatment Plant – Exempt City as “Urban” Designation to be eligible for USDA funds.
- 3) Booking Fee Reimbursement – Placement of cap on amount County can request reimbursement from City for booking related costs.
- 4) COPS – Legislation to allow funds to be used for cost to migrate to a unified Records Management System (RMS).
- 5) SAFER – Encourage continued funding for hiring of Firefighters.
- 6) Route 146 – Legislation and funding for the Realignment of SR 146 to Highway 101.
- 7) Affordable Housing – Funding for Affordable Housing.
- 8) Facilities Funding – Seek funds for construction of Government facilities i.e. Fire Station, Park Facilities.
- 9) Non-contiguous annexation – Seek amendment to Government Code Section 56742(e) and GC Section 37396 (b) which would provide for an exemption if noncontiguous property has a structure(s) of historical nature or is a designated historic landmark. The purpose is so that income from development can assist in the rehabilitation and maintenance of the historic landmarks.

The Council also expressed the importance of all the other issues and the need to, at a minimum, establish meetings with Legislators and State Department personnel to discuss the City's concerns.

Item #13: Resolution No. 3720, “Accepting the Subdivision Improvements for Phase III of the Diamond Ridge (Miravale) Subdivision.”

Public Works Director Price addressed the Council. He stated that all the work had been completed, inspected and that they have met all requirements. Mayor Ortiz asked if by accepting the improvements it also included the parks. Assistant City Manager De La Rosa stated that the City owns the park land and as a condition for park improvements, the developer paid park impact fees for the project. He stated that as part of the Orchard Villa VTM, the Developer agreed to improve the Diamond Ridge Parks and pay for the cost, while receiving a credit from park impact fees paid. He also stated that they will be proposing to schedule a parks committee meeting so that the park improvement plans for Terraza Park can be finalized. Assistant City Manager De La Rosa stated that acceptance of the improvements had no bearing on the parks because it was a separate agreement.

MOTION: Resolution No. 3720 was adopted by a unanimous vote on a motion made by Councilmember Stephens and a second by Councilmember Bourke.

Item #14: Review, Discuss, and Provide Staff with Direction on Allocation of City Hours for Use of the Community Center

Assistant City Manager De La Rosa addressed the Council. He stated that an issue came up recently regarding the subject and staff was asked by the Council to develop a policy addressing the issue. The events were broken down in to categories, with individuals under category “c” not being eligible to apply for City hours.

Councilmember Bourke asked Assistant City Manager De La Rosa to correct the language on page 2, paragraph IV-B.

The Council directed staff to come back with a resolution to approve the policy at the Council meeting on January 4, 2006.

Item #15: Review, Discuss and Provide Staff Direction on the January 2005 Public Works Design Standards and Standard Specifications for Sidewalk Improvements

Public Works Director Price reviewed the options in the staff report.

Mayor Ortiz stated that he felt it was a large burden to place on the property owner who wants to improve the front of their property but required to put in a sidewalk.

Public Works Director Price stated that the reason for the compaction report is to assure that the soil under the sidewalks does not cause the sidewalks to rise or drop. He also stated that there are other options on how to assure this does not occur while reducing the cost to the person putting the sidewalk.

He stated that in smaller project the City could require the person to add reinforcement to the concrete such as three # 4 lengths of rebar. Other options include leaving the standard as is by directing Staff to make no change to the standard in question.

The second option would be to direct Staff to change the standard to reflect no compaction requirement for sidewalks. The Third option is to direct Staff to take the middle ground by not requiring compaction testing on relatively small sidewalk rehab or construction projects and instead allow the more cost effective alternative of concrete reinforcement.

Mayor Ortiz asked about the thickness of the rebar. Public Works Director stated that the rebar would be ½ inch thick.

Councilmember Pat Stephens stated that the City should do what was logical which was to select the option of waiving the compaction requirement for small sidewalk projects and accepting an alternative of reinforcing the concrete.

Staff was directed, by consensus of the Council, to make the requisite changes to the Standards to accommodate waiving the compaction requirement on small projects.

CITY COUNCIL COMMITTEE UPDATES

- a) **Street Naming** – None.
- b) **Energy Plant** – None.
- c) **Miravale Section 16** – None.
- d) **Development Review** – None.
- e) **Overall Landscape Review** – None.
- f) **Revolving Loan Fund** – Economic Development Director Rodriguez stated they are reviewing the remaining applications and are dealing with current issues with the homeowner, which should be resolved shortly.
- g) **Oldtown Soledad Beautification Association** – Councilmember De La Rosa stated that there will be a meeting on the 28th of December.
- h) **Parks** – Assistant City Manager De La Rosa asked to meet with the Parks committee on Thursday, December 22nd at 4 p.m.
- i) **Redevelopment Neighborhoods** – None.
- j) **CAC** – None.
- k) **SR146 (Roads)** – None.
- l) **Tree** – Community Development Director Fleming stated the meeting on December 27th had been cancelled.
- m) **Wastewater Treatment Plant** – Discussed under City Manager’s Update.
- n) **Soledad Historical Society** – Councilmember Stephens stated there would be no December meeting.

CITY MANAGER’S REPORT

a) Update of Emergency Work at the Wastewater Treatment Plant

Public Works Director Price addressed the Council. He informed them that the plastic material for the ponds was defective and had been sent back to the supplier. Due to the holidays, he stated he expected it would delay progress for a week or two. He also informed the Council that rain had not affected the progress.

b) Council Requests – Status Table

Mayor Pro Tem Saavedra asked for an update on the park signs. City Manager Chapa informed the Council that staff had received a quote for the signage, and hoped to review it with the sign company to place the order, which will take approximately 4 to 6 weeks to come in.

Mayor Pro Tem Saavedra asked for an update on the park wall, which was not listed on the Status Table. Public Works Director Price stated that the bid specifications will be coming back to the Council at the beginning of the year with different options.

Councilmember De La Rosa stated that there are two items on the completed list that should not be: one was the landscaping on San Vicente, which she stated the area towards the end of San Vicente is not completed; the second item is the sod for the Wind and Wine Festival. She asked staff for an estimated date for the opening of the child care facility at Vosti Park. Community Development Director Fleming stated that they anticipated for the utilities to be installed the following week, with trenching and the installation of the pipe and equipment estimated to take 6 to 8 weeks.

City Manager Chapa stated that staff was trying to see if CSI had playground equipment available to prevent additional costs to the City. Councilmember De La Rosa stated that it seemed like a long time, and she was under the impression the facility had to be open by the Fall of 2005.

c) South County Housing Consortium – Oral Report

City Manager Chapa addressed the Council and informed them of the attachment provided in their Agenda Packets regarding the South County Housing Consortium. She stated that it began as an informal consortium, which came about out of talking about related issues. As a result there was a housing workshop that the City participated in and the report that was attached for the Council's review was the result of the workshop.

Councilmember Bourke asked if the group discussed South County housing issues in general, or a specific issue. City Manager Chapa stated that there are no specific issues that are discussed. Economic Development Director Rodriguez stated that the group is trying to find solutions to housing issues and loan rehab programs.

CITY COUNCIL ITEMS

Councilmember De La Rosa asked the Council to recognize Bobbie Reynolds. She stated that Bobbie was selected as last year's Citizen of the Year, and that it may be appropriate for the City to recognize her in some way either with a resolution or a letter since she has been very involved with the community in Soledad. Councilmember Stephens stated that she felt a resolution was appropriate. Councilmember Bourke stated that it would be appropriate for the City to write her. City Manager Chapa stated that a resolution would be placed on the next agenda.

Councilmember Bourke stated that the City clock is not working properly. Public Works Director Price responded that it is very difficult to set and that staff is working with the company to correct it.

Councilmember Bourke stated that he met with the Soledad Housing Authority to review the relocation plan, and Mr. Jose Gomez asked him if he would like to volunteer as a Council liaison with the Housing Authority Board. Councilmember Bourke stated that he was interested in volunteering. Councilmember De La Rosa stated that she was also asked by Mr. Gomez to serve as liaison.

Councilmember Bourke asked staff for an update on the total amount of money so far that the City has used out of the reserve general fund. City Manager Chapa stated that staff would include the amount in the City Manager's Update that Friday.

Mayor Ortiz asked for an update on the rehab program participants. City Manager Chapa stated that it would be included in the City Manager's Update that Friday.

Mayor Ortiz stated that as 2005 closes, he would like staff to consider putting resolutions together in regards to the time element of requests. He stated for example the daycare center and the parks that should have already been completed. He stated that minor projects that should have been taken care of in a timely fashion were not. He stated that he would like staff to take it more seriously next year in trying to complete all the projects requested by the Council in a more timely manner.

CLOSED SESSION

None

ADJOURNMENT

There being no other business to come before the Council, Mayor/Chairman Ortiz adjourned the meeting at 8:17 p.m. on a motion by Mayor/Chairman Ortiz and a second by Councilmember/Agencymember Stephens.

RICHARD V. ORTIZ, Mayor/Chairman

Approved: _____

NOELIA F. CHAPA, City Clerk/Agency Clerk